

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1658

**Introduced by Assembly ~~Member~~ *Members Jones-Sawyer, Chau,
and Quirk-Silva***

February 12, 2014

An act to add Section 1785.11.7 to the Civil Code and to add Section 16515 to the Welfare and Institutions Code, relating to foster care.

LEGISLATIVE COUNSEL'S DIGEST

AB 1658, as amended, Jones-Sawyer. Foster care: consumer credit reports: security freeze.

Existing law provides for child welfare services, which are public social services directed toward, among other purposes, protecting and promoting the welfare of all children, including those in foster care placement. Existing law declares the policy of the Legislature that all children in foster care be free from abuse.

This bill would require, at the time of placement, a county welfare agency to notify every consumer credit reporting agency of the placement of a minor dependent under 17 years of age ~~17~~ into foster care. By imposing new duties on county officials, the bill would impose a state-mandated local program.

Existing law, the Consumer Credit Reporting Agencies Act, defines and regulates consumer credit reports and permits a consumer to place a security freeze, defined as a notice placed in a consumer's credit report, at the request of the consumer, and subject to certain exceptions, that prohibits the consumer credit reporting agency from releasing the consumer's credit report or any information from it without the express authorization of the consumer, on his or her credit report by making a

request in writing by certified mail to a consumer credit reporting agency.

This bill would require, after notification of placement by a county welfare agency, a consumer credit reporting agency to place a security freeze on the credit report of a minor dependent under 17 years of age ~~17~~ placed in foster care.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1785.11.7 is added to the Civil Code, to
2 read:

3 1785.11.7. (a) In furthering the policy of the State of California
4 that children in foster care have the right to a life that is free from
5 abuse, it is the intent of the Legislature that a security freeze shall
6 be put into effect on the credit report for all minor dependents in
7 foster care under 17 years of age ~~17~~ to protect them from identity
8 theft and financial crimes through the unauthorized usage of their
9 credit.

10 (b) Following notification by a county welfare agency of the
11 placement of a minor dependent into foster care, a consumer credit
12 reporting agency shall place a security freeze on the minor
13 dependent's credit report pursuant to Section 1785.11.2.

14 (c) This section shall only apply to minor dependents who are
15 under 17 years of age ~~17~~.

16 (d) *This section does not apply to a check services company, a*
17 *fraud prevention services company, or a deposit account*
18 *information service company in accordance with Section 1785.11.6.*

19 SEC. 2. Section 16515 is added to the Welfare and Institutions
20 Code, to read:

1 16515. A county welfare agency shall notify every consumer
2 credit reporting agency of the placement of a minor dependent
3 under *17* years of age~~17~~ into foster care at the time of placement.

4 SEC. 3. If the Commission on State Mandates determines that
5 this act contains costs mandated by the state, reimbursement to
6 local agencies and school districts for those costs shall be made
7 pursuant to Part 7 (commencing with Section 17500) of Division
8 4 of Title 2 of the Government Code.

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